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7 *Attorneys for Plaintiff,*  
8 *Alfredo Montes,*

9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE DISTRICT OF ARIZONA

11 Alfredo Montes,

12  
13 Plaintiff,

14 vs.

15 Experian Information Solutions, Inc.,  
16 an Ohio corporation.

17 Defendant.  
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Case No.:

**COMPLAINT**

**JURY TRIAL DEMAND**

1 NOW COMES THE PLAINTIFF, ALFREDO MONTES, BY AND  
2 THROUGH COUNSEL, TRINETTE G. KENT, and for his Complaint against the  
3 Defendant, pleads as follows:  
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5 **JURISDICTION**

- 6 1. Jurisdiction of this court arises under 15 U.S.C. §1681p, 15 U.S.C. §1692k(d)  
7 and 28 U.S.C. §§1331,1337.  
8 2. This is an action brought by a consumer for violation of the Fair Credit  
9 Reporting Act (15 U.S.C. §1681 et. seq [hereinafter “FCRA”]).  
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12 **VENUE**

- 13 3. The transactions and occurrences which give rise to this action occurred in the  
14 City of Chandler, Maricopa County, Arizona.  
15 4. Venue is proper in the District of Arizona, Phoenix Division.  
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18 **PARTIES**

- 19 5. The Defendant to this lawsuit is Experian Information Solutions, Inc.  
20 (“Experian”), which is an Ohio company that maintains a registered agent in  
21 Maricopa County, Arizona.  
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**GENERAL ALLEGATIONS**

6. On or about April 23, 2015, Plaintiff obtained his Experian credit file and noticed errors on the following trade lines (“Errant Trade Lines”):
  - a. VERONA PARK, Account Number: 272XXXX;
  - b. SOUTHWEST GAS CORPORATION, Account Number: 233XXXX;
  - c. TULARE COUNTY FAMILY, Account Number: 10700763XXXX; and
  - d. US COLLECTIONS WEST IN, Account Number:  
412096000034XXXX.
7. On or about April 28, 2015, Mr. Montes submitted a letter to Experian disputing the Errant Trade Lines.
8. On or about May 21, 2015, Mr. Montes received a letter from Experian stating that it received a suspicious request and that it would not be initiating any disputes based on the suspicious correspondence.
9. Experian failed to investigate Mr. Montes’ dispute, in violation of the Fair Credit Reporting Act.

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**COUNT I**  
**NEGLIGENT VIOLATION OF THE FAIR CREDIT REPORTING ACT  
BY EXPERIAN**

- 10.Plaintiff realleges the above paragraphs as if recited verbatim.
- 11.Defendant Experian prepared, compiled, issued, assembled, transferred,  
published, and otherwise reproduced consumer reports regarding Mr. Montes as  
that term is defined in 15 USC 1681a.
- 12.Such reports contained information about Mr. Montes that was false,  
misleading, and inaccurate.
- 13.Experian negligently failed to maintain and/or follow reasonable procedures to  
assure maximum possible accuracy of the information it reported to one or  
more third parties pertaining to Mr. Montes, in violation of 15 USC 1681e(b).
14. After receiving Mr. Montes’ consumer dispute to the Errant Trade Lines,  
Experian negligently failed to conduct a reasonable reinvestigation as required  
by 15 U.S.C. 1681i.
- 15.As a direct and proximate cause of Experian’s negligent failure to perform its  
duties under the FCRA, Mr. Montes has suffered actual damages, mental  
anguish and suffering, humiliation, and embarrassment.

1 16.Experian is liable to Mr. Montes by reason of its violation of the FCRA in an  
2 amount to be determined by the trier fact together with his reasonable attorneys'  
3 fees pursuant to 15 USC 1681o.  
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6 **WHEREFORE, PLAINTIFF PRAYS** that this court grant him a judgment  
7 against Experian for actual damages, costs, interest, and attorneys' fees.  
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9 **COUNT II**

10 **WILLFUL VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
11 **BY EXPERIAN**

12 17.Plaintiff realleges the above paragraphs as if recited verbatim.  
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14 18.Defendant Experian prepared, compiled, issued, assembled, transferred,  
15 published, and otherwise reproduced consumer reports regarding Mr. Montes as  
16 that term is defined in 15 USC 1681a.  
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18 19.Such reports contained information about Mr. Montes that was false,  
19 misleading, and inaccurate.  
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21 20.Experian willfully failed to maintain and/or follow reasonable procedures to  
22 assure maximum possible accuracy of the information that it reported to one or  
23 more third parties pertaining to Mr. Montes, in violation of 15 USC 1681e(b).  
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25 21. After receiving Mr. Montes' consumer dispute to the Errant Trade Lines,  
26 Experian willfully failed to conduct a reasonable reinvestigation as required by  
27 15 U.S.C. 1681i.  
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1 22.As a direct and proximate cause of Experian's willful failure to perform its  
2 duties under the FCRA, Mr. Montes has suffered actual damages, mental  
3 anguish and suffering, humiliation, and embarrassment.  
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5 23.Experian is liable to Mr. Montes by reason of its violations of the FCRA in an  
6 amount to be determined by the trier of fact together with his reasonable  
7 attorneys' fees pursuant to 15 USC 1681n.  
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10 **WHEREFORE, PLAINTIFF PRAYS** that this court grant him a judgment  
11 against Experian for the greater of statutory or actual damages, plus punitive damages,  
12 along with costs, interest, and attorneys' fees.  
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16 **JURY DEMAND**  
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18 Plaintiff hereby demands a trial by Jury.  
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20 DATED: June 25, 2015  
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KENT LAW OFFICES  
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23 By: /s/ Trinette G. Kent  
24 Trinette G. Kent  
25 Attorneys for Plaintiff,  
26 Alfredo Montes  
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